

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

LOAN MODIFICATION AGREEMENT

This Agreement is by and between Compass Bank ("Bank") and Southmark Builders, Inc. (Borrower").

WHEREAS, Borrower is indebted to Bank on a loan ("Loan"), as evidenced by a Promissory Note dated April 15, 1996 ("Note") and

WHEREAS, Borrower and Bank desire to modify the terms of said Loan and set forth herein.

NOW, THEREFORE, for and in consideration of the premises, Borrower and Bank agree that the terms of the Loan are modified as follows:

Increase construction loan amount from \$375,000.00 to \$393,750.00

Except as modified herein, all of the terms and conditions of the Loan, the Note, and of any and all other instruments executed in connection with said Loan shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective the 17 day of September, 1996.

COMPASS BANK

ATTEST  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its Vice President

ATTEST  
Its: \_\_\_\_\_

SOUTHMARK BUILDERS, INC.  
By: James W. Woods Jr.  
Its: PRESIDENT

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, \_\_\_\_\_, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_ whose name(s) is signed to the foregoing conveyance, and who ARE known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, HE executed the same voluntarily on the day the same bears date.  
Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My commission expires: \_\_\_\_\_ NOTARY

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, hereby certify that JAMES W. WOODS JR. whose name as PRESIDENT of SOUTHMARK BUILDERS, INC., a CORPORATION, is signed to the foregoing conveyance, and who is known to be, acknowledged before me on this day that, being informed of the contents of such conveyance, \_\_\_\_\_, as such OFFICER and with full authority, executed the same voluntarily for and as the act of said CORPORATION.  
Given under my hand and official seal this 17TH day of SEPTEMBER, 1996.

My commission expires: 3/5/99 NOTARY

3/5/99  
09/20/1996-31112  
09:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 5NA 35.70

inst # 1996-31112